

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CURTIS MAYES JR.,

Petitioner,

v.

DIRECTOR, TDCJ-CID,

Respondent.

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2:24-CV-00163-Z-BR

**ORDER GRANTING EXTENSION OF TIME AND WITHDRAWING FINDINGS,
CONCLUSIONS AND RECOMMENDATION TO DISMISS COMPLAINT**

Before the Court is Plaintiff Curtis Mayes Jr.'s Motion for Extension of Time to comply with the Court's Deficiency Order (the "Motion"). (ECF 6).

On August 8, 2024, the Court issued a Notice of Deficiency requiring Mayes to either pay the \$5 filing fee or submit an application to proceed *in forma pauperis* by September 8, 2024. (ECF 4). By September 20, 2024, Mayes had not complied with the order, nor had he communicated with the Court in any way regarding his case. As a result, the Court issued Findings, Conclusions and Recommendations ("FCR") to dismiss this case for failure to prosecute. (ECF 5).

On October 7, 2024, Mayes filed the Motion, stating that he did not receive timely notice of either the Deficiency Order or the FCR. (ECF 6). Therefore, the Court hereby WITHDRAWS the FCR and grants Mayes an extension of time to either pay his filing fee or submit an application to proceed *in forma pauperis* to **December 6, 2024**.

IT IS SO ORDERED.

ENTERED October 7, 2024.


LEE ANN RENO
UNITED STATES MAGISTRATE JUDGE